

# UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing  
only for new nonprovisional applications under 37 CFR §1.53(b))

Attorney Docket No. 213187

First Inventor KOVESDI, Imre

Title ADENOVECTOR PHARMACEUTICAL  
COMPOSITION

Express Mail No. EF125999585US

## APPLICATION ELEMENTS

1. ☒ Utility Patent Application Transmittal Form
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification (including claims and abstract)  
[Total Pages 41]
4. ☒ Drawings [Total Sheets 4]
5. ☒ Combined Declaration and  
Power of Attorney [Total Pages 4]
  - a. ☐ Unexecuted
  - b. ☒ Copy from prior application  
[Note Box 6 below]
    - i. ☐ Deletion of Inventor(s) Signed statement  
attached deleting inventor(s) named in the prior  
application
6. ☒ Incorporation by Reference: The entire  
disclosure of the prior application, from which  
an oath or declaration is supplied under Box  
5b is considered as part of the disclosure of  
the accompanying application and is hereby  
incorporated by reference.
7. ☒ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
9. Nucleotide and/or Amino Acid Sequence  
Submission
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ Paper Copy
  - c. ☒ Statement verifying identity of above  
copies

ADDRESS  
TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## ACCOMPANYING APPLICATION PARTS

10. ☐ Applicant requests early publication. (include  
publication fee under 37 CFR 1.18(d))
11. ☐ Assignment Papers  
(cover sheet and document(s))
12. ☐ 37 CFR 3.73(b) Statement (when there is an  
Assignee)
13. ☐ Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☒ Information Disclosure Statement (IDS)
  - ☒ Form PTO-1449
  - ☒ Copies of Listed Documents
16. ☒ Preliminary Amendment
17. ☒ Return Receipt Postcard  
(Should be specifically itemized)
18. ☐ Certified Copy of Priority Document(s)
19. ☐ Request & Certification Under 35 USC  
122(b)(2)(B)(i) (Form PTO/SB/35 or its equivalent attached)
20. ☒ Other:  
Amendments to Specification and Claims Made via  
Preliminary Amendment.  
Pending Claims After Entry of Preliminary  
Amendment.  
Submission of Formal Drawings.

21. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information in (a) and (b) below:

- (a) ☒ Continuation ☐ Divisional ☐ Continuation-in-part of prior Application No. 08/258,416,  
filed on June 10, 1994, which is incorporated by reference.  
Prior application information: Examiner: Scott D. Priebe; Group Art Unit: 1632.
- (b) Preliminary Amendment: Benefit of earlier filing date - 35 USC 120. The Commissioner is requested to  
amend the specification by inserting the following sentence before the first line:  
"This is a ☐ continuation ☐ divisional ☐ continuation-in-part (CIP) of  
☐ Application No. , filed on , which is incorporated by reference."  
☐ International Application No. , filed on , which designates the U.S., and which is  
incorporated by reference."

|   |              |              |           |                     |                  |
|---|--------------|--------------|-----------|---------------------|------------------|
| <b>UTILITY PATENT APPLICATION TRANSMITTAL</b>                   |              |              |           | Attorney Docket No. | 213187           |
| <b>APPLICATION FEES</b>   |              |              |           |                     |                  |
| BASIC FEE   |              |              |           |                     | \$ 710.00        |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA | RATE      |                     |                  |
| Total Claims  | 20 - 20 =    | 0            | x \$18.00 |                     | \$ 0.00          |
| Independent Claims  | 1 - 3 =      | 0            | x \$80.00 |                     | \$ 0.00          |
| <input type="checkbox"/> Multiple Dependent Claim if applicable |              |              |           |                     | +\$270.00        |
| Total of above calculations =                                   |              |              |           |                     | \$ 710.00        |
| Reduction by 50% for filing by small entity =                   |              |              |           |                     | (\$ 0.00)        |
| <input type="checkbox"/> Assignment fee if applicable           |              |              |           |                     | + \$40.00        |
| <input type="checkbox"/> Early publication fee if applicable    |              |              |           |                     | + \$300.00       |
| <b>TOTAL =</b>  |              |              |           |                     | <b>\$ 710.00</b> |

22. ☒ Please charge my Deposit Account No. 12-1216 in the amount of \$ 710.00.

23. ☐ A check in the amount of \$            is enclosed.


24. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 12-1216:

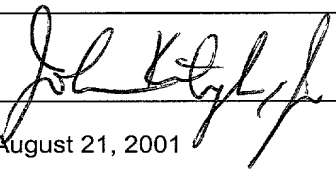
a. ☒ Fees required under 37 CFR 1.16.

b. ☒ Fees required under 37 CFR 1.17.

25. ☒ The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 12-1216 for any fee that may be due in connection with such a request for an extension of time.

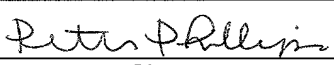
26. CORRESPONDENCE ADDRESS

|  |  |
|--|--|
| <input checked="" type="checkbox"/> Customer Number: 23460<br><br><b>23460</b><br>PATENT TRADEMARK OFFICE | <input type="checkbox"/> , Reg. No.<br>Leydig, Voit & Mayer, Ltd.<br>Two Prudential Plaza, Suite 4900<br>180 North Stetson<br>Chicago, Illinois 60601-6780<br>(312) 616-5600 (telephone)<br>(312) 616-5700 (facsimile) |
|--|--|

|           |   |
|-----------|---|
| Name      | John Kilyk, Jr., Registration No. 30,763  |
| Signature |  |
| Date      | August 21, 2001   |

**Certificate of Mailing Under 37 CFR 1.10**

I hereby certify that this Utility Patent Application Transmittal and all accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Box Patent Application, Washington, D.C. 20231.

|                        |   |                 |
|------------------------|---|-----------------|
| Peter Phillips         |  | August 21, 2001 |
| Name of Person Signing | Signature   | Date            |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Kovesdi et al.

Group Art Unit: Unassigned

Continuation of Application No. 08/258,416  
filed June 10, 1994

Examiner: Unassigned

Filing Date: August 21, 2001

For: ADENOVECTOR PHARMACEUTICAL  
COMPOSITION

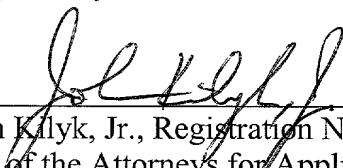
**SUBMISSION OF NUCLEOTIDE/AMINO ACID SEQUENCE DISCLOSURES AND  
STATEMENT UNDER 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with the requirements of 37 C.F.R. §§ 1.821-1.825, a sequence listing forms part of the disclosure of the instant patent application. A paper copy of a sequence listing has been inserted immediately prior to the claims in the patent application. A computer readable copy on a computer diskette, prepared by applicants with the use of the PatentIn v.1.0 software, is enclosed herewith. The undersigned hereby verifies that the contents of the paper and the computer readable copies are the same.

Respectfully submitted,



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John Kilyk, Jr., Registration No. 30,763  
One of the Attorneys for Applicants  
**LEYDIG, VOIT & MAYER, LTD.**  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: August 21, 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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COMPOSITION

**SUBMISSION OF FORMAL DRAWINGS**

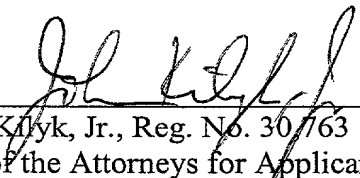
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants enclose herewith three (3) sheets of formal drawings and request that the same be made of record in the above-identified patent application.

The Assistant Commissioner is hereby authorized to charge any fees that may be required to Account No. 12-1216. A duplicate copy of this communication is enclosed for that purpose.

Respectfully submitted,

  
\_\_\_\_\_  
John Kilyk, Jr., Reg. No. 30,763  
One of the Attorneys for Applicants  
**LEYDIG, VOIT & MAYER, LTD.**  
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Date: August 21, 2001